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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Donald Robert BOSTEN,  
John Robert KRIASKI,  
Randy Glen COOPER,  
and John Charles SMITH

Serial Number: Not yet assigned

Filed: January 29, 2004

Title: In-Line Sander

Art Unit: Not yet assigned

Examiner: Not yet assigned

Attorney Docket No.: 54525.000096

**COPY OF DECLARATION IN  
PARENT APPLICATION**

**COPY OF NEW  
APPOINTMENT OF POWER  
OF ATTORNEY IN PARENT  
APPLICATION**

**I. COPY OF DECLARATION IN PARENT APPLICATION SUBMITTED UNDER  
37 C.F.R. § 1.63(d)**

A copy of the declaration submitted in the parent application of this continuation application is attached hereto and is submitted under 37 C.F.R. § 1.63(d) in place of filing a new declaration.

**II. COPY OF NEW APPOINTMENT OF POWER OF ATTORNEY IN PARENT  
APPLICATION SUBMITTED UNDER 37 C.F.R. § 1.63(d)(4)**

A copy of the papers submitted in the parent application which include an appointment of a new power of attorney is attached hereto and is submitted under 37 C.F.R. § 1.63(d).

Respectfully submitted,

HUNTON & WILLIAMS

Dated: 29 Jan. 2004

By:



Andrew J. Ririe

Registration No. 45,597

Hunton & Williams  
Intellectual Property Department  
1900 K Street, N.W., Suite 1200  
Washington, D.C. 20006-1109  
(703) 714-7446 (Telephone)  
(703) 714-7410 (Facsimile)

COPY

MERCHANT, GOULD, SMITH, EDELL, WELTER &amp; SCHMIDT

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: IN-LINE SANDER.

The specification of which

- a. ☒ is attached hereto  
 b. ☐ was filed on \_\_\_\_\_ as application serial no. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable) (in the case of a PCT-filed application) described and claimed in international no. \_\_\_\_\_ filed \_\_\_\_\_ and as amended on \_\_\_\_\_ (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. ☒ no such applications have been filed.  
 b. ☐ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)
08/389,277	February 9, 1995	Abandoned
08/851,804	May 7, 1997	File Wrapper Continuation of 08/389,277/pending

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Adriano, Sarah B.	Reg. No. 34,470	Kettelberger, Denise	Reg. No. 33,924
Albrecht, John W.	Reg. No. P-40,481	Komanduri, Janaki	Reg. No. P-40,61
Batzli, Brian H.	Reg. No. 32,960	Kowalchyk, Alan W.	Reg. No. 31,535
Beard, John L.	Reg. No. 27,612	Kowalchyk, Katherine M.	Reg. No. 36,848
Beck, Robert C.	Reg. No. 28,184	Lacy, Paul E.	Reg. No. 38,946
Bejin, Thomas E.	Reg. No. 37,089	Lasky, Michael B.	Reg. No. 29,555
Berman, Charles	Reg. No. 29,249	Lindquist, Timothy A.	Reg. No. P-40,70
Bogucki, Raymond A.	Reg. No. 17,426	Lynch, David W.	Reg. No. 36,204
Bruess, Steven C.	Reg. No. 34,130	Mau, Michael L.	Reg. No. 30,087
Byrne, Linda M.	Reg. No. 32,404	McDaniel, Karen D.	Reg. No. 37,674
Canady, Karen S.	Reg. No. 39,927	McDonald, Daniel W.	Reg. No. 32,044
Carlson, Alan G.	Reg. No. 25,959	McDonald, Wendy M.	Reg. No. 32,427
Carter, Charles G.	Reg. No. 35,093	McIntyre, Iain A.	Reg. No. 40,377
Caspers, Philip P.	Reg. No. 33,227	Miller, William D.	Reg. No. 37,988
Chiapetta, James R.	Reg. No. 39,634	Mueller, Douglas P.	Reg. No. 30,300
Clifford, John A.	Reg. No. 30,247	Nasiedlak, Tyler L.	Reg. No. 40,099
Conrad, Timothy R.	Reg. No. 30,164	Nelson, Albin J.	Reg. No. 28,650
Cooper, Victor G.	Reg. No. 39,641	Orler, Anthony J.	Reg. No. P-41,23
Crawford, Robert	Reg. No. 32,122	Pauly, Daniel M.	Reg. No. 40,123
Daignault, Ronald A.	Reg. No. 25,968	Plunkett, Theodore	Reg. No. 37,209
Daley, Dennis R.	Reg. No. 34,994	Pollinger, Steven J.	Reg. No. 35,326
Dalglish, Leslie E.	Reg. No. P-40,579	Reich, John C.	Reg. No. 37,703
Daulton, Julie R.	Reg. No. 36,414	Reiland, Earl D.	Reg. No. 25,767
Davidson, Ben M.	Reg. No. 38,424	Schmaltz, David G.	Reg. No. 39,828
DiPietro, Mark J.	Reg. No. 28,707	Schmidt, Cecil C.	Reg. No. 20,566
Edell, Robert T.	Reg. No. 20,187	Schuman, Mark D.	Reg. No. 31,197
Epp Ryan, Sandra	Reg. No. 39,667	Schumann, Michael D.	Reg. No. 30,422
Farber, Michael B.	Reg. No. 32,612	Sebald, Gregory A.	Reg. No. 33,280
Funk, Steven R.	Reg. No. 37,830	Sharp, Janice A.	Reg. No. 34,051
Gabilan, Mary Susan	Reg. No. 38,729	Skoog, Mark T.	Reg. No. 40,178
Gates, George H.	Reg. No. 33,500	Smith, Jerome R.	Reg. No. 35,684
Glance, Robert J.	Reg. No. P-40,620	Stinebruner, Scott A.	Reg. No. 38,323
Golla, Charles E.	Reg. No. 26,896	Sumner, John P.	Reg. No. 29,114
Gorman, Alan G.	Reg. No. 38,472	Sumners, John S.	Reg. No. 24,216
Gould, John D.	Reg. No. 18,223	Tellekson, David K.	Reg. No. 32,314
Gresens, John J.	Reg. No. 33,112	Underhill, Albert L.	Reg. No. 27,403
Hamre, Curtis B.	Reg. No. 29,165	Vandenburgh, J. Derek	Reg. No. 32,179
Hillson, Randall A.	Reg. No. 31,838	Welter, Paul A.	Reg. No. 20,890
Hollingsworth, Mark A.	Reg. No. 38,491	Williams, Douglas J.	Reg. No. 27,054
Johnston, Scott W.	Reg. No. 39,721	Wood, Gregory B.	Reg. No. 28,133
Kastelic, Joseph M.	Reg. No. 37,160	Xu, Min S.	Reg. No. 39,536

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant, Gould, Smith, Edell, Welter & Schmidt to the contrary.

Please direct all correspondence in this case to Merchant, Gould, Smith, Edell, Welter & Schmidt at the address indicated below:

Merchant, Gould, Smith, Edell,  
Welter & Schmidt  
3100 Norwest Center  
90 South Seventh Street  
Minneapolis, MN 55402-4131

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	Full Name Of Inventor	Family Name BOSTEN	First Given Name DONALD	Second Given Name ROBERT
0	Residence & Citizenship	City JACKSON	State or Foreign Country TENNESSEE	Country of Citizenship U.S.A.
1	Post Office Address	Post Office Address 439 OLD BELLS ROAD	City JACKSON	State & Zip Code/Country TENNESSEE 38305/U.S.A.
Signature of Inventor 201: <i>Donald R. Bosten</i>			Date: <i>8/2/97</i>	
2	Full Name Of Inventor	Family Name KRIASKI	First Given Name JOHN	Second Given Name ROBERT
0	Residence & Citizenship	City JACKSON	State or Foreign Country TENNESSEE	Country of Citizenship U.S.A.
2	Post Office Address	Post Office Address 115 GREEN BRIAR LANE	City JACKSON	State & Zip Code/Country TENNESSEE 38305/U.S.A.
Signature of Inventor 202: <i>John Robert Kriaski</i>			Date: <i>8/12/97</i>	
2	Full Name Of Inventor	Family Name COOPER	First Given Name RANDY	Second Given Name GLEN
0	Residence & Citizenship	City MILAN	State or Foreign Country TENNESSEE	Country of Citizenship U.S.A.
3	Post Office Address	Post Office Address 54 CHAPEL HILL ROAD	City MILAN	State & Zip Code/Country TENNESSEE 38358/U.S.A.
Signature of Inventor 203: <i>Randy Glen Cooper</i>			Date: <i>8-12-97</i>	
2	Full Name Of Inventor	Family Name SMITH	First Given Name JOHN	Second Given Name CHARLES
0	Residence & Citizenship	City JACKSON	State or Foreign Country TENNESSEE	Country of Citizenship U.S.A.
4	Post Office Address	Post Office Address 137 WINDY HILL ROAD	City JACKSON	State & Zip Code/Country TENNESSEE 38305/U.S.A.
Signature of Inventor 204: <i>John Charles Smith</i>			Date: <i>8-13-97</i>	
2	Full Name Of Inventor	Family Name	First Given Name	Second Given Name
0	Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
5	Post Office Address	Post Office Address	City	State & Zip Code/Country
Signature of Inventor 205:			Date:	

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Donald Robert BOSTEN,  
et al.

Serial Number: 09/884,853

Art Unit: 3723

Examiner: Robert A. Rose

Filed: June 19, 2001

Title: In-Line Sander

Attorney Docket No.: 54525.000089

STATEMENT OF ASSIGNEE

REVOCATION OF POWER OF  
ATTORNEY

APPOINTMENT OF NEW  
POWER OF ATTORNEY

CHANGE IN  
CORRESPONDENCE  
ADDRESS AND ATTORNEY  
DOCKET NUMBER

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

STATEMENT OF ASSIGNEE UNDER 37 C.F.R. § 3.73(b)

Porter-Cable Corporation of Jackson, Tennessee, is the assignee of the entire right, title, and interest in and to the above-identified patent application by virtue of an assignment from the inventors of the patent application. The assignment was recorded at the United States Patent and Trademark Office at Reel 8717, Frame 0896, and a copy of the assignment is attached hereto.

The undersigned is authorized to act on behalf of Porter-Cable Corporation.

REVOCATION OF POWER OF ATTORNEY

As the assignee of the above-identified patent application, Porter-Cable Corporation hereby revokes all previous powers of attorney or authorizations of agent in the above-identified patent application.

APPOINTMENT OF NEW POWER OF ATTORNEY

As the assignee of the above-identified patent application, Porter-Cable Corporation hereby appoints the practitioners at customer number 21967,

Customer Number Bar Code Label

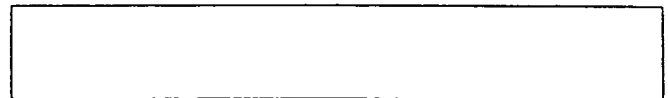


corresponding to the law firm of Hunton & Williams, as attorneys or agents, with all powers of substitution and revocation, to prosecute the above-identified patent application, and to transact all business in the United States Patent and Trademark Office connected therewith.

CHANGE IN CORRESPONDENCE ADDRESS AND ATTORNEY DOCKET NUMBER

Please change the correspondence address for the above-identified patent application for all purposes to the address of the practitioners at customer number 21967,

Customer Number Bar Code Label



corresponding to the law firm of Hunton & Williams. Please change the attorney docket number to 54525.000089.

Respectfully submitted,

PORTER-CABLE CORPORATION

Dated: 8/23/02

By: Matthew D. Repke

Title: V.P. Engineering



Atty. Docket No.: 54525.000089  
Serial No.: 09/884,853

Hunton & Williams  
Intellectual Property Department  
1900 K Street, N.W., Suite 1200  
Washington, D.C. 20006-1109  
(202) 955-1672 (Telephone)  
(202) 778-2201 (Facsimile)



5809.1074561  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

NOVEMBER 01, 1997

PTAS

PS  
MERCHANT, GOULD, SMITH, EDELL ET AL  
DAVID G. SCHMALTZ  
3100 NORWEST CENTER  
90 SOUTH SEVENTH STREET  
MINNEAPOLIS, MN 55402



\*100545092A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/16/1997

REEL/FRAME: 8717/0896  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
BOSTEN, DONALD R.

DOC DATE: 08/12/1997

ASSIGNOR:  
KRIASKI, JOHN R.

DOC DATE: 08/12/1997

ASSIGNOR:  
COOPER, RANDY G.

DOC DATE: 08/12/1997

ASSIGNOR:  
SMITH, JOHN C.

DOC DATE: 08/13/1997

ASSIGNEE:  
PORTER-CABLE CORPORATION  
4825 HIGHWAY 45 NORTH  
P.O. BOX 2468  
JACKSON, TEXAS 38302

SERIAL NUMBER: 08931196  
PATENT NUMBER:

FILING DATE:  
ISSUE DATE:

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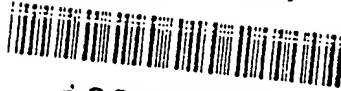
NOV 10 1997

MERCHANT & GOULD  
MINNEAPOLIS, MN 55402

8717/0896 PAGE 2

TONYA LEE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

10-03-1997



100545092

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

To the Commissioner of Patents and Trademarks: Please record this document or copy thereof.

## 1. Name of conveying party(ies):

Donald R. BOSTEN  
John R. KRIASKI  
Randy G. COOPER  
John C. SMITH

## 2. Name and address of receiving party(ies):

Porter-Cable Corporation  
4825 Highway 45 North  
P.O. Box 2468  
Jackson, Tennessee 38302Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ NoAdditional name(s) & address(es) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other:

Execution Date: August 12-13, 1997

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: September 16, 1997

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: David G. Schmaltz  
Address: MERCHANT, GOULD, SMITH, EDELL,  
WELTER & SCHMIDT  
3100 Norwest Center  
90 South Seventh Street  
Minneapolis, MN 55402

## 6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$40  
☒ Enclosed  
☐ Authorized to be charged to deposit account

## 8. Please charge any additional fees or credit any overpayments to our Deposit account number: 13-2725

DO NOT USE THIS SPACE

## 9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

David G. Schmaltz

Name of Person Signing

Signature

September 16, 1997

Date

Total number of pages including cover sheet, attachments, and document: 2

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Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks  
Box Assignments  
Washington, D.C. 20231

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## ASSIGNMENT

WHEREAS, we, Donald Robert Bosten, residing at 439 Old Bells Road, Jackson, Tennessee 38305, John Robert Kriaski, residing at 115 Green Briar Lane, Jackson, Tennessee 38305, Randy Glen Cooper, residing at 54 Chapel Hill Road, Milan, Tennessee 38358, and John Charles Smith, residing at 137 Windy Hill Road, Jackson, Tennessee 38305, made certain new and useful inventions and improvements for which an application for Letters Patent of the United States will be filed herewith, which is entitled IN-LINE SANDER.

AND WHEREAS, Porter-Cable Corporation, a corporation organized and existing under and by virtue of the laws of the State of Minnesota, and having an office and place of business at 4825 Highway 45 North, P.O. Box 2468, Jackson, Tennessee 38302 (hereinafter "Assignee") is desirous of acquiring the entire right, title and interest in and to said inventions, improvements and application and in and to the Letters Patent to be obtained therefor;

NOW THEREFORE, to all whom it may concern, be it known that for and in consideration of the sum of One Dollar and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, we have sold, assigned, and transferred, and by these presents do sell, assign and transfer unto said Assignee, its successors or assigns, the entire right, title and interest for all countries in and to all inventions and improvements disclosed in the aforesaid application, and in and to the application, all divisions, continuations, or renewals thereof, all Letters Patent which may be granted therefrom, and all reissues or extensions of such patents, and in and to any and all applications which have been or shall be filed in any foreign countries for Letters Patent on the inventions and improvements, including an assignment of all rights under the provisions of the International Convention, and all Letters Patent of foreign countries which may be granted therefrom; and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent for the aforesaid inventions and improvements to the Assignee as the assignee of the entire right, title and interest in and to the same, for the use of the Assignee, its successors and assigns.

AND, for the consideration aforesaid, we do hereby agree that we and our executors and legal representatives will make, execute and deliver any and all other instruments in writing including any and all further application papers, affidavits, assignments and other documents, and will communicate to said Assignee, its successors and representatives all facts known to us relating to said improvements and the history thereof and will testify in all legal proceedings and generally do all things which may be necessary or desirable more effectually to secure to and vest in said Assignee, its successors or assigns the entire right, title and interest in and to the improvements, inventions,

applications, Letters Patent, rights, titles, benefits, privileges and advantages hereby sold, assigned and conveyed, or intended so to be.

AND, furthermore we covenant and agree with said Assignee, its successors and assigns, that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us and that full right to convey the same as herein expressed is possessed by us.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 12<sup>th</sup> day of August, 1997.

Donald R Bosten  
Donald Robert Bosten

STATE OF Wisconsin )  
 ) ss.  
COUNTY OF Madison )


On this 12<sup>th</sup> day of August, 1997, before me personally appeared Donald Robert Bosten to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

[SEAL]

Debra Lynn Moore  
Notary Public

My Commission Expires Apr. 17, 2000

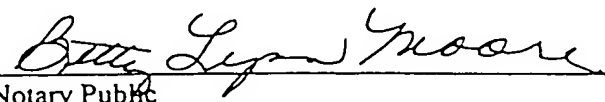
IN TESTIMONY WHEREOF, I have hereunto set my hand this 12<sup>th</sup> day of August, 1997.

  
John Robert Kriaski

STATE OF Tennessee )  
 ) ss.  
COUNTY OF Madison )

On this 12<sup>th</sup> day of August, 1997, before me personally appeared John Robert Kriaski to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

[SEAL]

  
Notary Public

My Commission Expires Apr. 17, 2000

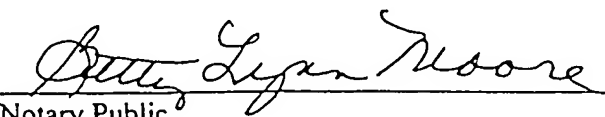
IN TESTIMONY WHEREOF, I have hereunto set my hand this 12<sup>th</sup> day of August, 1997.

  
Randy Glen Cooper

STATE OF Tennessee )  
 ) ss.  
COUNTY OF Madison )

On this 12<sup>th</sup> day of August, 1997, before me personally appeared Randy Glen Cooper to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

[SEAL]

  
Notary Public

My Commission Expires Apr. 17, 2000

IN TESTIMONY WHEREOF, I have hereunto set my hand this 13<sup>TH</sup> day of  
AUGUST, 1997.

John Charles Smith  
John Charles Smith

STATE OF Tennessee )  
COUNTY OF Madison ) ss.

On this 13<sup>th</sup> day of August, 1997, before me personally appeared John Charles Smith to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

[SEAL]

Betty Lynn Moore  
Notary Public

My Commission Expires Apr. 17, 2000